

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62753 of 2023

Arising Out of PS. Case No.-206 Year-2021 Thana- SAUR BAZAR District- Saharsa

1. MANISH SADA @ AMARJIT SADA @ AMARJIT SADAR son of Bechan Sada Village- Rampur W.No-14, Rohua P.S.- Sour Bazar, Dist- Saharsa
2. Raushan Sada son of Bechan Sada Village- Rampur W.No-14, Rohua Ps- Sour Bazar Dist- Saharsa
3. Umola Devi @ Amola Devi @ Urmila Devi W/o- Bechan Sada Village- Rampur W.No-14, Rohua Ps- Sour Bazar Dist- Saharsa
4. Bechan Sada son of Late Gango Sada @ Upendra Sada Village- Rampur W.No-14, Rohua Ps- Sour Bazar Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma, Adv.

For the Opposite Party/s : Mr.Murli Dhar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B), 120(B), 201, 34 of the Indian Penal Code.

3. All the F.I.R. named accused persons including these petitioners, on non-fulfillment of demand of dowry, in furtherance of the common intention are said to have committed murder of the daughter of the informant.

4. It is submitted by learned counsel for the petitioners



that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners are neither family members nor relative of the husband of the deceased. They are co-villagers. It is further submitted that the husband of the deceased is already in judicial custody. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as husband of the deceased is already in judicial custody, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Saur Bazar P.S. Case No. 206 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



7. The learned Court below is directed to verify the fact whether the husband of the deceased is in judicial custody or not and if it is found that the husband of the deceased is not in judicial custody, the bail bonds of the petitioners shall not be accepted by the learned Court below.

(Anjani Kumar Sharan, J)

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